

**ENTERED**

March 20, 2023

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
MCALLEN DIVISION

DAVID P. OROPEZA-HERNANDEZ,

Plaintiff,

VS.

KILOLO KIJAKAZI, Acting Commissioner of  
the Social Security Administration,

Defendant.

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CIVIL ACTION NO. 7:22-CV-230

**ORDER ADOPTING REPORT AND RECOMMENDATION**

Pending before the Court is Plaintiff's action pursuant to 42 U.S.C. § 405(g), which action has been referred to the Magistrate Judge for report and recommendation. On February 15, 2023, the Magistrate Judge issued the Report and Recommendation (Dkt. Entry No. 19), recommending that the Unopposed Motion to Reverse and Remand be granted, and that the Commissioner's final decision to deny benefits be vacated and remanded to the agency for further proceedings consistent with the Report and Recommendation. Neither party timely filed objections to the Report and Recommendation.

Pursuant to Rule 72(b) of the Federal Rules of Civil Procedure, the Court has conducted a de novo review of the Report and Recommendation. Finding no clearly erroneous error, the Court adopts the Report and Recommendation (Dkt. Entry No. 19) in its entirety. Accordingly, it is hereby **ORDERED** that the Unopposed Motion to Reverse and Remand (Dkt. Entry No. 15) is **GRANTED**, and that the Commissioner's final decision to deny benefits is **VACATED** and **REMANDED** to the agency for further proceedings consistent with the Report and Recommendation.

SO ORDERED March 20, 2023, at McAllen, Texas.

A handwritten signature in black ink, reading "Randy Crane". The signature is written in a cursive, flowing style. The first name "Randy" is written with a large, prominent "R" and a long, sweeping underline that extends across the signature. The last name "Crane" is written in a similar cursive style, with a large "C" and a long, sweeping underline that extends across the signature.

Randy Crane

Chief United States District Judge